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Government
Publications

Municipal Financial Tools for Planning and Development



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The Ministry of Municipal Affairs and Housing believes that this handbook may be helpful to municipalities. The financing tools and programs included were developed locally, based upon local circumstances, including specific legal advice. Municipalities are responsible for making local decisions, including compliance with any applicable statutes or regulations. For these reasons, this handbook should not be relied upon as a substitute for specialized legal or professional advice in connection with any particular financing or related matter. Obtaining such advice is recommended.

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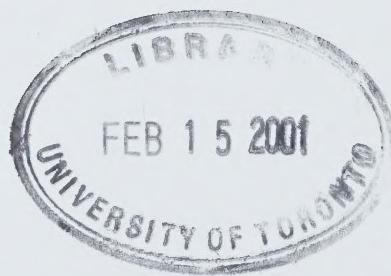


Table of Contents

1	Introduction	1
2	Purpose	2
3	Financial Tools Menu	3
4	The Ontario Legislative Context	4
	Municipal Act	4
	Planning Act	5
	Ontario Heritage Act	5
	Development Charges Act, 1997	6
5	Municipal Financial Incentives	7
	Grants or Loans	8
	Tax Increment Equivalent Grants or Loans	9
	Example of a Tax Increment Equivalent Grant	10
	Exemption/Refund/Reduction of Planning Application Fees and Exemption From Development Charges	12
	Other Tools	12
	Cost Savings Example	13
6	Municipal Profiles	14
	City of Cambridge	15
	City of Hamilton/Regional Municipality of Hamilton – Wentworth	16
	City of Kitchener	17
	City of London	18
	City of Thunder Bay	19
	Municipal Services Offices	20



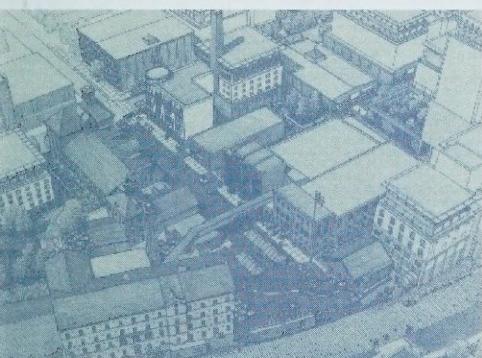
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Introduction



Now . . .



. . . and then

Gooderham & Worts Project, Toronto



Belleville, Bay of Quinte

Remediation of Wetlands

Ontario's economic landscape is changing. In old, established urban centres, traditional manufacturing activities are closing down or moving to more efficient and versatile facilities where "just-in-time" delivery, automation and multi-function operations make them globally competitive.

In the downtowns of our communities, property owners and business operators are facing new challenges, as the retail sector proceeds through restructuring. Membership warehouse clubs, home-improvement centres and big-box stores that locate in the outskirts of a municipality draw upon consumers from the downtown of the municipality and those of the surrounding communities.

Gritty industrial harbours and waterfronts are being transformed into urban parks and glittering condominium highrises, accompanied by an increase in nearby restaurants, personal services and entertainment.

Across the countryside, villages and towns are finding that they too can attract global attention and new investment through Internet marketing of their lifestyle and amenities. The World Wide Web is levelling the playing field for economic development, but only for those who know how to play the game and are connected to the "electronic grid."

Smaller communities are finding new niche roles for themselves in the global economy, targeting such emerging sectors as biotechnology and agri-food businesses; eco-tourism; alternative lifestyle communities for retiring baby boomers; homegrown high-tech mini-clusters; call centres, etc.

As Ontario municipalities move from an industrial economy to a knowledge-based economy, "smart" communities of all sizes are starting to pull together coalitions of urban and rural municipalities, chambers of commerce, local businesses and community economic development groups to ensure they have the appropriate information infrastructure and a growing local knowledge resource.

Municipal councils, chief administrative officers, planners, economic development officers, treasurers and legal advisers are being challenged to find ways to plan, fund and implement new visions for their communities.

Purpose

This publication was developed to help municipalities identify a range of potential financing tools available to support planning and development activities. It is a companion piece to two Ministry of Municipal Affairs and Housing planning policy programs – Municipal Readiness for Economic Development and Brownfields Showcase.

It describes a number of municipal financial and planning incentives that encourage redevelopment, revitalization and improvement of existing built-up areas and neighbourhoods of a municipality. A number of municipalities offer significant financial assistance in the form of grants or loans. Others provide a financial incentive through the waiving of fees and charges. Still others provide indirect incentives through more flexible planning, parking and zoning requirements.

Some of the financial tools are routinely used and well understood. Others, like tax increment equivalent grants or loans, are just starting to be used by Ontario municipalities for downtown revitalization or brownfields redevelopment and may have other applications as municipal needs and priorities change.

This publication represents a review of municipal financial tools potentially available within Ontario's current legislative framework together with financial incentive profiles for Cambridge, Hamilton/Regional Municipality of Hamilton-Wentworth, Kitchener, London and Thunder Bay. The profiles illustrate how each financial tool is being applied by these municipalities. Many of these tools are applied in the downtown core areas, reflecting current municipal needs and priorities. These tools may be flexible enough to be adapted to areas outside of downtowns, such as industrial and commercial lands and waterfront areas.

Municipalities undertaking an economic readiness or brownfields redevelopment planning review, will find new ideas to consider when they deal with their unique circumstances and encounter new sources of how-to information. The latter will come from municipalities that have test driven some of the less commonly used financial tools.



**Spencer Creek Village Project
before redevelopment**

Dundas

Financial Tools Menu

The following is a menu
of financial tools
currently used by
**Cambridge, Hamilton/
Regional Municipality of
Hamilton-Wentworth,
Kitchener, London and
Thunder Bay.** Some tools
specifically target
contaminated site
redevelopment, while
others are general
financial tools that could
be adapted to other
locations.

Financial Tools Menu

	Pages
Contaminated Site-Related Tools	
1. Core Areas Grant Program	15
2. Development Application and/or Building Permit Fees Waiver/Rebate	15
3. Realty Tax Arrears Cancellation	15
4. Realty Tax Equivalent Rebate (Municipal Portion)	15
5. Development Allowance/Charges Credit or Exemption	15
6. Building Revitalization Program	15
7. Design Guidelines	15
Incentives for Property Owners	
8. Tax Incentive/Rebate	16, 17
9. Downtown Rehabilitation and Redevelopment Program (tax increment equivalent grant program)	18
10. Convert-to-Residential Program	16
11. Core Area Rehabilitation and Redevelopment Grant Program (tax increment equivalent grant program)	19
12. Feasibility Study Grant Program	17, 19
13. Façade/Interior Improvement Loan Programs	16, 17, 18, 19
14. Building Renovation Loan Program	18
General Incentive Tools	
15. Development Charges Exemption “Credit”	15, 16, 17, 18
16. Flexible Parking Requirements	16, 18
17. Flexible/Less Restrictive Zoning Requirements	16, 19
18. Parkland Dedication Fee Waiver/Refund	16, 17
19. Development Application Fees Refund	15, 16, 17, 19

Municipal Act

The following is a list of Ontario legislation related to financial assistance and other financial incentives that may be used to encourage development and redevelopment of privately owned lands.

The *Municipal Act* [subsection 111(1)] prohibits municipalities from directly or indirectly assisting any manufacturing business or other industrial or commercial enterprise through the granting of bonuses (sometimes referred to as the “bonusing rule”). Prohibited actions include:

- giving or lending money or municipal property
- leasing or selling any municipal property at below fair market value
- guaranteeing borrowing
- giving a total or partial exemption from any levy, charge or fee

Notwithstanding the bonusing rule, subsection 111(2) of the *Municipal Act* permits, with the Municipal Affairs and Housing minister's approval, certain financial assistance for the purpose of implementing a community improvement plan that has been adopted under the provisions of Section 28 of the *Planning Act*.

Planning Act

Section 28

Community Improvement Project Areas

Section 28 of the *Planning Act* sets out the authority for municipalities to designate community improvement project areas and adopt community improvement plans. This is done through a legal process involving public notice, a public meeting and the right of appeal. Once approved by the minister of Municipal Affairs and Housing, a community improvement plan can provide municipalities with broad powers to acquire, hold, clear, lease and sell land in designated areas for the purpose of community improvement.

Within the framework of a local official plan, once a municipality has approved community improvement policies and a designated community improvement project area, it may use the powers afforded through subsection 28(7) to issue grants or loans to registered or assessed owners of lands and buildings within the designated area.

If a potential bonusing issue is involved, financial incentives undertaken to carry out community improvement plans may, with the minister's approval, be exempt from the general prohibition on bonusing under the *Municipal Act*.

While community improvement plans are not new, several municipalities have begun using this power to establish financing incentives for remediation of contaminated sites (see section on tax increment equivalent grants or loans).

In addition to the provisions of the *Planning Act*, Section 39 of the *Ontario Heritage Act* allows municipalities to make grants or loans to owners of heritage designated properties. These grants or loans are to pay for all or part of the cost of alteration (i.e., restoration, renovation and repair) of the designated property, on terms and conditions established by municipal council.

Ontario Heritage Act

Section 39

Grants or loans

Development Charges Act

The *Development Charges Act, 1997* provides the legal basis for Ontario municipalities to impose growth-related development charges (sometimes known as impact fees) in order to recover some or all of the capital costs of new municipal infrastructure requirements resulting from new development. The services eligible to be funded from this source include transportation (roads and transit), sewer, water and other services that must be provided to serve residential and non-residential growth.

Section 4 of the *Development Charges Act, 1997* exempts the first 50 per cent of existing industrial building expansions from municipal development charges.

Paragraph 10 of subsection 5(1) of the *Development Charges Act, 1997* permits municipalities to give full or partial exemption for some types of development.

In the interests of economic competitiveness and job creation or preservation, many Ontario municipalities have chosen to use this section to wholly or partially exempt new industrial development and larger expansions of existing industrial buildings from the imposition of local development charges and impact fees. In many cases, these exemptions are extended to other forms of non-residential development. Cambridge, Hamilton/Regional Municipality of Hamilton-Wentworth, Kitchener and London are examples of municipalities using this financial tool.

Under subsection 2(7) of the *Development Charges Act, 1997*, municipalities may exempt areas of the municipality from the application of a development charges bylaw. Such areas could include a downtown or development area, including community improvement project areas under the *Planning Act*. Municipalities may also adopt area bylaws not including a specific area.

Municipal Financial Incentives

Grants

Loans

Tax Increment Equivalent Grants

Refunds

Waivers

Several Ontario municipalities have established financial incentive programs to support the community transformation visions and land-use priorities in their official plans. Cambridge, Hamilton/Regional Municipality of Hamilton-Wentworth, Kitchener, London, and Thunder Bay are examples of municipalities that put in place a program of financial tools to support their development priorities. In particular, these programs tend to be targeted to attract redevelopment of areas where the land uses of the past are no longer active or appropriate – for example, downtown revitalization, brownfields redevelopment, industrial transformation, harbour or waterfront redevelopment and mixed-use community improvement project areas.

Among the key financial tools now available to Ontario municipalities are the following:

- grants or loans
- tax increment equivalent grants or loans
- fee exemptions, refunds, waivers and reductions

Grants or Loans

Core Area Grant

Façade Improvement

Feasibility Studies

Building Revitalization

Most municipalities that are providing financial assistance through the provisions of Section 28 of the *Planning Act* do so through outright grants or loans. This approach, which is generally subject to the bonusing rule unless a minister's approval is obtained, requires that council set aside a sufficient amount either at the onset of the program or on an annual basis to fund the grants or loans. From a municipal perspective, the advantage to providing a loan, rather than a grant, is that the repayments can help establish a revolving fund for future loans. Generally the loans are interest-free or below market rates.

The City of Oshawa adopted an innovative approach to ensure that the municipal outlay was kept to a minimum. The city entered into an agreement with a financial institution, under which a bank took applications and approved loans for municipally determined eligible works. The municipality underwrote the interest rate of the loan so that it was significantly below market. This allowed the municipality to reduce administrative costs and set aside funds that were needed to cover the interest rate subsidy.

Downtown Rehabilitation and Redevelopment Program

Tax Increment Equivalent Grants or Loans

As mentioned in the section on the *Planning Act*, some Ontario municipalities are adapting concepts of their American counterparts to provide assistance equivalent to a deemed tax increment calculation.

In more than 45 U.S. states, legislation that enables tax increment financing (TIF) has been implemented for a variety of economic and social reasons, including stimulating the construction of low- and moderate-income housing, creating employment opportunities, financing capital projects and encouraging redevelopment of contaminated or derelict sites and “blighted” downtown areas.

Under state legislation, municipalities create a TIF district and can freeze the taxes that go to the various taxing authorities (local, state, school board) to the level before redevelopment. Any increase stemming from redevelopment can be diverted to a separate TIF authority and can be used to provide financial incentives for site remediation, new development and rehabilitation of existing buildings. Funds are also earmarked to provide new services and improve existing services.

Ontario's legislative framework does not provide municipalities the authority to establish TIF districts, freeze taxes or divert the increase to a separate TIF authority. In addition, unless an exception applies, the bonusing rule generally does not allow for bonuses to commercial or industrial enterprises. However, a number of municipalities have developed innovative approaches to providing financial incentives for redevelopment led by the private sector and community improvement initiatives that minimize financial pressures on the municipality. London and Thunder Bay have set up programs that provide property owners with grants equivalent to a deemed tax increment through the community improvement provisions of Section 28 of the *Planning Act*. A number of other municipalities are in the process of adopting similar plans.

An example of a tax increment equivalent grant is set out on the next two pages.

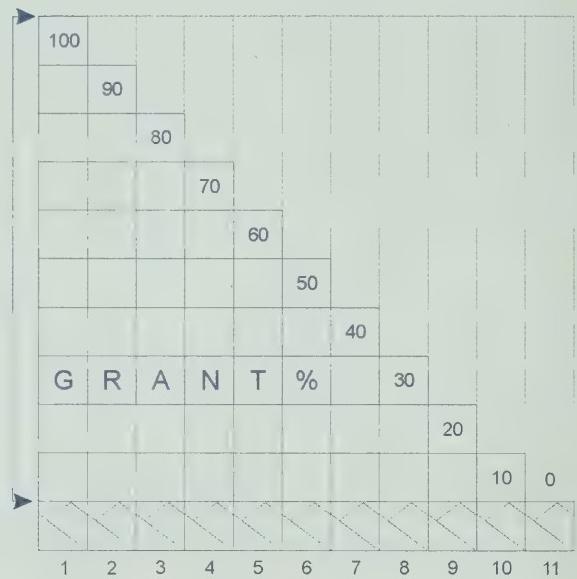
Example of a Tax Increment Equivalent Grant in Ontario

Example of Tax Increment Equivalent Grant

\$110,000
Municipal Tax
Portion After
Redevelopment

Tax Increment
(\$100,000)

\$10,000
Municipal Tax
Portion Before
Redevelopment



Taxes after redevelopment – taxes before redevelopment = TAX INCREMENT

$$\$110,000 \text{ less } \$10,000 = \$100,000$$

Projected outcome

- municipal tax portion for the program years one through 10 = \$1 million
- grant value for the program years one through 10 = \$550,000

(based upon the assumptions set out in the next page)

Tax Increment Equivalent Grant in Ontario

Assumptions for grant program to registered or assessed owner:

1. grant period is 10 years
2. the municipal tax portion before redevelopment is a constant \$10,000
3. the municipal tax portion after redevelopment is a constant \$110,000
4. the tax increment equivalent is a constant \$100,000 (i.e. \$110,000 less \$10,000) per year over the grant period
5. in year one of the program, the grant to the property owner is equal to 100 per cent of the tax increment. Thereafter, the grant decreases by 10 per cent per year (i.e., year two = 90 per cent, year three = 80 per cent etc.)

Holding the assumptions constant, the following projections are made for program years one through 10:

Assumption 1	Assumptions 2, 3 & 4	Assumption 5	Assumptions 4 & 5
Program Year	Tax Increment (\$)	Grant Percentage (%)	Grant Given (\$)
1	\$100,000	100	\$100,000
2	\$100,000	90	90,000
3	\$100,000	80	80,000
4	\$100,000	70	70,000
5	\$100,000	60	60,000
6	\$100,000	50	50,000
7	\$100,000	40	40,000
8	\$100,000	30	30,000
9	\$100,000	20	20,000
10	\$100,000	10	10,000
TOTAL (Years 1-10)	\$1 million		\$550,000

Exemption/Refund/Reduction of Planning Application Fees and Exemption From Development Charges

Many municipalities that provide grants or loans under Section 28 of the *Planning Act* also provide other incentives, which collectively can have a substantial impact on the financial viability of a redevelopment project.

Some of these incentives include the waiving or refund of fees for official plan and zoning bylaw amendments, consents to sever, plans of subdivision, development agreements, site plan applications and agreements, minor variance applications, demolition permits, building permits, parkland dedication and exemption from development charges.

Other Tools

Other financial incentive tools that can result in the defraying of development costs include flexible or no parking requirements for specific types of development, less restrictive zoning requirements for commercial and residential development and funding for feasibility studies relating to adaptive reuse projects.

Cost Savings Example

The City of Hamilton/Regional Municipality of Hamilton-Wentworth's schedule is included below as an example of the cost savings that can be attributed to the waiving, refund or exempting of development-related charges.

Many of these tools encourage redevelopment in areas where infrastructure and services already exist. This means that taxpayers are not subsidizing new infrastructure, even though development charges are not collected.

In community improvement project areas, it is expected that development or redevelopment will result in important economic and social benefits, such as increased tax assessment, revival or further stimulation of community vitality and more efficient and effective use and reuse of land and existing services, facilities and infrastructure.

City of Hamilton/Regional Municipality of Hamilton-Wentworth Cost Savings for Development-Related Charges

Commercial-Region Development Charges	\$2.64/ft ²
Residential-City Development Charges	single, semi or row \$1,565.44 2 or more bedroom apt \$894.54 1 bedroom apt \$447.27
Residential-Region Development Charges	single family \$5,113 multiple family \$3,798 apartment \$2,191
Official Plan Amendment	\$2,300
Zoning Bylaw Amendment	\$2,300
Minor Variance (1 or 2 family dwelling)	\$250
Minor Variance (all others)	\$400
Demolition Permit	\$220 + \$25 for each additional 3000m ² in excess of first 3000m ² \$100 for non-services accessory building \$75 for garage or shed of single family dwelling
Inspection Fee	Certificate of Compliance \$200 + \$10 / 93m ³ in excess of first 93m ³ \$35 for each inspection after the first inspection, to allow occupancy or part thereof
Permit for Change of Use	\$150
Zoning Verification	Express Service \$120 Regular Service \$80
Building Permits	\$150 for the 1st \$10,000 of estimated construction value + \$9 each additional \$1,000
Site Plan Application	\$1,500
Revision of Approved Site Plan	\$550
5% Parkland Dedication	5% or cash in lieu
Parking Requirements	0.8 spaces per class A dwelling unit excl. Residential and Short-Term Care Facility
Lot Area Requirements for Multiple Dwellings in "I" Area Districts	"I" District – 65 m ² (699.68 sq ft) lot area per dwelling unit

Any of these fees can be waived, refunded or exempted as appropriate to provide a redevelopment incentive

Municipal Profiles

Cambridge

**Hamilton/Regional
Municipality of Hamilton-
Wentworth**

Kitchener

London

Thunder Bay

Attached are profiles of financial incentives offered in Cambridge, Kitchener, London, Thunder Bay and Hamilton/Regional Municipality of Hamilton-Wentworth. They contain a brief description of the tools in the menu.

Should additional detail be required on how a municipality is using the incentives, contact names and telephone numbers are provided.

Core Areas/Rehabilitation of Contaminated Sites

Cambridge, Ontario

- **Core Areas Grant Program** – a grant of 50 per cent of the remediation costs, up to a maximum of \$1,000 per unit, payable on issuance of a building permit
- **Development Application and Building Permit Fees Waiver** – applies to new residential units constructed on rehabilitated contaminated sites in the core areas
- **Building Permit Fee Waiver** – on all development in the core areas
- **Realty Tax Arrears Cancellation** – a realty tax cancellation policy with eligibility criteria
- **Realty Tax Equivalent Grant** – a three-year program (75, 50 and 25 per cent tax grants) which also applies to non-contaminated property in core areas. Grants relate to increases in realty taxes (city tax portion only) resulting from property improvements
- **Building Revitalization Program** – offers low interest loans for defined improvements to core areas properties
- **DesignGuide Program** – offers grants for owners to retain professional assistance in designing property improvements
- **Development Allowance Credit** – applies to a property required to be cleaned up under the Ministry of the Environment's 1996 "*Guideline for Use at Contaminated Sites in Ontario*," equal to the amount of the assessment and cleanup costs of the property, not to exceed the total development charge payable to the city on the project
- **Development Charges Exemption** – applies to the core areas by the city, Waterloo region and Hydro Electric Commission (i.e., all development charges)
- **Development Charges Credit** – for properties designated under the *Ontario Heritage Act* (maximum credit based on existing structure)

For more information, contact:

City of Cambridge
73 Water Street North
P. O. Box 669
Cambridge, ON N1R 5W8
Telephone: (519) 740-4650
Fax: (519) 622-6184

Downtown Community Improvement Plan Area

Hamilton/Regional Municipality of Hamilton-Wentworth, Ontario

- **Municipal Application Fees Refund** – applies to Official Plan amendment, zoning bylaw amendment, site plan approvals and revisions of approved site plan, modification to an approved neighbourhood plan, minor variance, demolition permit, inspection fee, permit for change of use, zoning verification and building permit
- **Development Charge Exemption** – for downtown area commercial and residential development
- **Five Per Cent Parkland Dedication Fee Refund** – for residential development
- **Parking Requirements Waiver** – for new residential construction and for renovations/conversions
- **Central Business District** – for commercial development, no parking requirements
- **Residential Zoning Requirements** – made flexible to allow for both commercial and residential development
- **Convert-to-Residential Program** – provides interest-free loans for conversion of non-residential space to residential and/or the rehabilitation of poor quality residential space in the community improvement area
- **Core 2000/Gore 2000 Façade Improvement Programs** – provide for matching grants for commercial/industrial building façade improvements, signage improvements and awnings for buildings in the community improvement area
- **Tax Rebate Equivalent** – involves the city and regional portion of the increase in property tax resulting from the renovation of a designated commercial/industrial building under the *Ontario Heritage Act* for five years; total amount of the benefit is not to exceed the cost of the work done. (Contact the city for the list of criteria and requirements and the list of designated buildings.)

For more information, contact:

Bill Janssen

Manager, Community Initiatives Section

City of Hamilton & Regional

Municipality of Hamilton-Wentworth

71 Main Street West

7th floor, City Hall

Hamilton, ON L8P 4Y5

Telephone: (905) 546-4147

Fax: (905) 546-4202

Kitchener, Ontario

- **Funding for Feasibility Studies** – for adaptive reuse projects (contact the city for list of targeted sites); grants equal to 50 per cent of the value of the feasibility study, up to \$10,000
- **Tax Incentive Equivalent for Rehabilitation and Redevelopment of Institutional, Residential, Commercial and Industrial Sites** – provides a grant equivalent to a percentage of tax for a period of three years, commencing the year following the completion of construction and occupancy of the site; grant is equal to 50 per cent of the city's portion of the property tax increase attributed to the improvements
- **Municipal Development Charges Exemption** – for development within the downtown improvement area; regional development charges continue to apply
- **Park Dedication Fee Waiver** – for all residential development
- **Municipal Application Fees Refund** – on demolition and building permits, site plan approvals, occupancy certificates and sign permits, upon final completion of the project and subject to council approval
- **Facade/Interior Improvement Loan Program** – provides financial assistance to owners of downtown commercial properties for exterior/interior building improvements; work must be completed in one year (contact the city for loan details)

Note: Total value of all refunds under the above incentives cannot exceed the value of the work done. Applications for assistance are subject to the availability of funding.

For more information, contact:

Wayne Pearce
Department of Business and
Planning Services
City of Kitchener, 6th floor, City Hall
200 King Street West
Kitchener, ON N2G 4G7
Telephone: (519) 741-2429
Fax: (519) 741-2722

London, Ontario

- **Downtown Rehabilitation and Redevelopment Program** (tax increment equivalent financing)
 - Level 1 – rehabilitated or renovated buildings designated under the *Ontario Heritage Act*, with no compromise to the architectural or historical integrity of the building, may receive a grant. The initial grant value is 80 per cent of the increase in municipal taxes, declining to zero per cent after 12 years.
 - Level 2 – existing buildings that are rehabilitated or renovated to ensure long-term viability may receive a grant. Initial grant value is equivalent to 70 per cent of the increase in municipal taxes, declining to zero per cent after 12 years.
 - Level 3 – to encourage redevelopment of vacant or under used sites, new buildings that are developed on vacant or cleared sites within the downtown may receive a grant to offset increased assessment arising from property improvements. Initial grant value is equivalent to 60 per cent of the increase in municipal taxes, declining to zero per cent after 12 years.
- **Façade Restoration Loan Program** – provides interest-free loans of up to \$25,000 to property owners to cover half the cost of eligible improvements. Loans may be increased an additional \$5,000 if the property is designated under the *Ontario Heritage Act*. Loan is amortized over a maximum period of 10 years and is secured. Payments begin six months after loan advancement. Early payment may be made without penalty.
- **Building Renovation Loan Program** – provides interest-free loans of up to \$50,000 to property owners to cover half the cost of eligible improvements (rehabilitation of existing structures). Amortization of loan over a maximum period of 10 years is secured. Payments begin six months after loan advancement. Early payment may be made without penalty.
- **Development Charges Exemption** – encourages redevelopment of vacant or underused sites for residential development (six-year program ending in 2000).
- **Parking Requirements Waiver** – for downtown residential development.

For more information, contact:

Planning and Development Department

Planning Division

City of London, City Hall

300 Dufferin Avenue

London, ON N6A 4L9

Telephone: (519) 661-4980

Fax: (519) 661-5397

Downtown Core – Community Improvement Plan Area

Thunder Bay, Ontario

- **Core Area Rehabilitation and Redevelopment Grant Program** (tax increment equivalent) – allows for a grant equal to 100 per cent of any increase in municipal taxes that results from the reassessment of improved properties during the ten-year period commencing January 1, 1998
- **Core Area Planning and Building Fee Rebate Program** – allows for a grant equal to 100 per cent of the fees required for most planning approvals and building permits, upon the completion of a project (official plan and zoning bylaw amendments, minor variances/permissions, statements of approval, consents to sever, site plan control and development agreements, plans of subdivision/condominium, *Rental Housing Protection Act* applications and building permit applications)
- **Core Area Façade Loan Improvement Program** – provides interest-free loans, amortized over ten years, for 50 per cent of the cost to improve the exterior façades of buildings, to a maximum of \$15,000 per loan
- **Core Area Feasibility Study Grant Program** – provides grant to fund up to 50 per cent, to a maximum of \$10,000, of the eligible cost for a feasibility study to determine potential adaptive reuses of certain buildings
- **Less Restrictive Zoning** – allows for an increased number of uses within the city's downtown areas; standards such as yard, frontage and parking requirements are altered to facilitate positive development in the central business district

For more information, contact:

Mark Smith

Manager, Long Range Planning,
Planning and Building Department

City of Thunder Bay

Victoriaville Civic Centre

111 Syndicate Avenue South

Thunder Bay, ON P7C 5K4

Telephone: (807) 625-2833

Fax: (807) 623-2206

Note: contact the city for eligibility requirements.

Ministry of Municipal Affairs and Housing

Municipal Services Offices

Central

777 Bay Street, 14th Floor
Toronto, ON M5G 2E5
General Inquiry: (416) 585-6226
Toll Free: 1-800-668-0230
Fax: (416) 585-6882

Southwest

659 Exeter Road, 2nd Floor
London, ON N6E 1L3
General Inquiry: (519) 873-4020
Toll Free: 1-800-265-4736
Fax: (519) 873-4018

East

8 Estate Lane
Rockwood House
Kingston, ON K7M 9A8
General Inquiry: (613) 548-4304
Toll Free: 1-800-267-9438
Fax: (613) 548-6822

Northeast

159 Cedar Street, Suite 401
Sudbury, ON P3E 6A5
General Inquiry: (705) 564-0120
Toll Free: 1-800-461-1193
Fax: (705) 564-6863

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ISBN 0-7778-9870-5

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Outils financiers en matière de planification
et d'aménagement à la portée des municipalités

